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TESLA, INC. DBA TESLA MOTORS,  
INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ and  
LAMAR PATTERSON,

Plaintiffs,

vs.

TESLA, INC. DBA TESLA  
MOTORS, INC.; CITISTAFF  
SOLUTIONS, INC.; WEST VALLEY  
STAFFING GROUP; CHARTWELL  
STAFFING SERVICES, INC.; and  
DOES 1-10, inclusive,

Defendants.

CASE NO. 3:17-cv-06748-WHO

**STIPULATION AND  
[PROPOSED] ORDER RE:  
PLAINTIFFS' FIRST  
AMENDED COMPLAINT**

**STIPULATION**

Plaintiffs Demetric Di-az and Owen Diaz (“Plaintiffs”), Defendant Tesla, Inc. dba Tesla Motors, Inc. (“Tesla”), Defendant CitiStaff Solutions, Inc. (“CitiStaff”), Defendant West Valley Staffing Group (“West Valley”), Lamar Patterson (“Patterson”), and Chartwell Staffing Services, Inc. (“Chartwell”) hereby stipulate as follows:

**WHEREAS**, on October 16, 2017, Plaintiffs filed their Complaint in this matter asserting causes of action against Tesla, CitiStaff, West Valley, and Chartwell;

**WHEREAS**, the case was then removed to the United States District Court – Northern District of California;

**WHEREAS**, on February 6, 2018, Patterson, Tesla, and Chartwell entered into a stipulation to submit Patterson’s claims against Tesla and Chartwell to binding arbitration before JAMS in San Francisco;

**WHEREAS**, on February 8, 2018, the Court approved and granted the stipulation to arbitrate and stayed the case as to Patterson’s claims against Chartwell and Tesla;

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**WHEREAS**, Patterson filed his demand for arbitration against Chartwell and Tesla with JAMS on July 25, 2018. Patterson, Tesla, and Chartwell are currently litigating those claims in arbitration;

**WHEREAS**, Plaintiffs do not currently assert any causes of action against Chartwell independent from Patterson’s claims that have been ordered to arbitration, and no active claims against Chartwell remain in District Court;

**WHEREAS**, on December 14, 2018, Defendants Tesla, CitiStaff, WestValley, and the Diaz Plaintiffs entered into a stipulation allowing the Diaz Plaintiffs to file a first amended complaint (“FAC”) for the purposes of adding nextSource, Inc. as a Defendant in the matter currently pending in District Court;

**WHEREAS**, Chartwell was not a party to the Stipulation to File a FAC;

**WHEREAS**, the FAC did not remove Chartwell or Patterson as parties to the District Court lawsuit given that those claims are currently stayed;

**NOW THEREFORE**, in order to avoid confusion, the Parties, Patterson, and Chartwell, by and through their respective counsel, hereby stipulate and agree, as follows:

1) the FAC did not revive any stayed claims as to Patterson or Chartwell;  
and

2) Chartwell does not need to file any response to the FAC given that all claims against Chartwell have been stayed and compelled to arbitration.

**It is so stipulated.**

DATED: January 8, 2019

**CALIFORNIA CIVIL RIGHTS LAW  
GROUP**

B y : /s/Lawrence A. Organ  
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Navruz Avloni  
Attorneys for Plaintiffs  
DEMETRIC DI-AZ and OWEN  
DIAZ

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1 DATED: January 8, 2019

**PAHL & MCCAY**

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7 WEST VALLEY STAFFING  
8 GROUP

9  
10 DATED: January 8, 2019  
11 **HAMPTON**

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13 Tracey Kennedy  
14 Reanne Swafford-Harris  
15 Patricia Jeng  
16 Attorneys for Defendant  
17 TESLA INC. DBA TESLA  
18 MOTORS, INC.

19 DATED: January 8, 2019

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21 Barbara I. Antonucci  
22 Philip J. Smith  
23 Aaron M. Rutschman  
24 Attorneys for Defendant  
25 CITISTAFF SOLUTIONS, INC.

26 Dated: January 8, 2019

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28 Roger M. Mansukhani  
Craig D. Nickerson  
Megan L. Hayati  
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CHARTWELL STAFFING  
SERVICES, INC.

**[PROPOSED] ORDER**

Based upon the foregoing Stipulation, and for good cause appearing thereon, the Court orders as follows:

1) Plaintiff's First Amended Complaint filed on December 26, 2018, did not revive any stayed claims as to Patterson or Chartwell; and

2) Chartwell is not required to file any response to the First Amended Complaint.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: January \_\_, 2019

\_\_\_\_\_  
Hon. William H. Orrick

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